## No. 26

# **MICHIGAN SENATE**

## DAILY CALENDAR

THURSDAY, MARCH 16, 2000 10:00 a.m.

#### MESSAGES FROM THE HOUSE

#### SB 555 Sen. Hammerstrom

Sales tax; exemptions; vended nonalcoholic beverages; exempt.

Amends sec. 4g of 1933 PA 167 (MCL 205.54g).

I.E. House, November 2, 1999.

Returned from House with substitute (H-1), Wednesday, November 3, 1999; laid over under the rules.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_\_ 2 \_\_\_\_\_

SB 287 Sen. Van Regenmorter

Traffic control; violations; criminal road endangerment; establish and provide penalties.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 626c.

Reported by Committee on Judiciary.

Senate substitute (S-6).

Committee recommended I.E.

— 3 ——

SB 390 Sen. Van Regenmorter

Criminal procedure; sentencing guidelines; crime of criminal road endangerment; include in sentencing guidelines.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

4

SB 300 Sen. Jaye

Weapons; licensing; time limit for permit to purchase pistol; extend.

Amends sec. 2 of 1927 PA 372 (MCL 28.422).

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 32 of 1999, page 483.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_\_ 5 \_\_\_\_

SB 158 Sen. Rogers

Worker's compensation; benefits; employee under the influence of intoxicating liquor or drugs; prohibit benefits paid.

Amends 1969 PA 317 (MCL 418.101 - 418.941) by adding sec. 306.

Reported by Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 56 of 1999, page 1215.

Committee recommended I.E.

6

**HB** 4710 Rep. Sanborn

Civil procedure; service of process; initial service of personal protection orders by state police officers; authorize to issue.

Amends sec. 6 of 1935 PA 59 (MCL 28.6).

For House amendment, see House Journal No. 68 of 1999, page 1949.

Reported by Committee on Judiciary.

\_\_\_\_\_ 7 <u>\_\_\_\_</u>

**HB** 4711 Rep. Scranton

Torts; immunity; reporting injury caused by violence; immunize reporter under certain circumstances.

Amends sec. 411 of 1931 PA 328 (MCL 750.411).

For House amendments, see House Journal No. 68 of 1999, page 1950.

Reported by Committee on Judiciary.

8

HB 4715 Rep. Baird

Crimes; domestic violence; domestic violence definition; revise.

Amends title and sec. 1 of 1978 PA 389 (MCL 400.1501).

For House amendment, see House Journal No. 68 of 1999, page 1951.

Reported by Committee on Judiciary.

#### THIRD READING OF BILLS

— 9 ———

#### **HB** 4716 Rep. Godchaux

Criminal procedure; bail; individuals arrested for certain domestic violence crimes; prohibit release on interim bond by peace officer, and require arraignment or bond hearing by judicial officer before release, and require release condition of no contact with victim in certain circumstances.

Amends sec. 2a of 1961 PA 44 (MCL 780.582a).

House substitute (H-3).

Reported by Committee on Judiciary.

## SB 1008 Sen. Gougeon

State; authorities; credit card usage by community mental health authorities; provide for.

Amends sec. 1 of 1995 PA 266 (MCL 129.241).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

— 11 ——

#### SB 1009 Sen. Johnson

State; bonds; financing certain purchases; provide for. Amends sec. 205 of 1974 PA 258 (MCL 330.1205).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 12 \_\_\_\_

## SB 1162 Sen. Van Regenmorter

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of committing or attempting to commit another crime by use of the internet or a computer; enact.

Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g).

Reported by Committee on Judiciary. Committee recommended I.E.

\_\_\_\_\_ 13 \_\_\_\_

#### HB 5184 Rep. DeRossett

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of using computer to commit a crime; enact.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 18a, ch. XVII.

I.E. House, February 16, 2000.

House substitute (H-4).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

## **HB** 5185 Rep. O'Neil

Crimes; computer; attempting to commit crime by using a computer; prohibit.

Amends sec. 6 of 1979 PA 53 (MCL 752.796).

I.E. House, February 16, 2000.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 25, page 325.

Committee recommended I.E.

#### THIRD READING OF BILLS

— 15 ———

### **HB** 5186 Rep. Howell

Criminal procedure; sentencing; penalties for committing crimes by using computer; revise.

Amends sec. 7 of 1979 PA 53 (MCL 752.797).

I.E. House, February 16, 2000.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 25, page 325.

Committee recommended I.E.

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#### HB 5187 Rep. Jamnick

Crimes; computer; jurisdiction for computer crimes; provide for.

Amends 1979 PA 53 (MCL 752.791 - 752.797) by adding sec. 8.

I.E. House, February 16, 2000.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 25, page 325.

Committee recommended I.E.

\_\_\_\_\_ 17 \_\_\_\_\_

### **SB** 769 Sen. Bennett

Courts; district court; thirty-fifth district; allow for additional judgeship.

Amends sec. 8121 of 1961 PA 236 (MCL 600.8121).

Reported by Committee on Judiciary.

Senate substitute (S-2).

\_\_\_\_ 18 \_\_\_\_\_

## SB 1051 Sen. McManus

Courts; district court; eighty-sixth and eighty-seventh districts; allow revision.

Amends secs. 8151 & 8152 of 1961 PA 236 (MCL 600.8151 & 600.8152).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 19 \_\_\_\_\_

## HB 5143 Rep. Jelinek

Food; fruits and vegetables; storage of fruits and vegetables; revise standards and procedures.

Amends secs. 1, 2, 3, 4, 5, 6 & 9 of 1959 PA 228 (MCL 286.371 et seq.); adds secs. 2a & 4a & repeals secs. 7 & 8 of 1959 PA 228 (MCL 286.377 & 286.378).

I.E. House, February 23, 2000.

For House amendments, see House Journal No. 16, page 236.

Reported by Committee on Farming, Agribusiness and Food Systems.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 20 \_\_\_\_\_

#### SB 893 Sen. Rogers

Criminal procedure; forfeiture; forfeiture of certain property for committing or attempting to commit crimes against minors via the internet; establish.

Amends sec. 4701 of 1961 PA 236 (MCL 600.4701).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

## SB 894 Sen. Rogers

Criminal procedure; sentencing; recoupment of certain costs for crimes committed against minors via the internet; provide for.

Amends sec. 145d of 1931 PA 328 (MCL 750.145d).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 22 \_\_\_\_\_

#### SB 257 Sen. Bullard

Courts; district court; fifty-second district; authorize additional judgeship.

Amends sec. 8123 of 1961 PA 236 (MCL 600.8123).

Reported by Committee on Judiciary.

Senate substitute (S-4).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 23 —

## **HB** 4534 Rep. Kowall

Weapons; concealed; forfeiture of concealed weapons carried in violation of Michigan penal code; make subject to forfeiture provisions of firearms act.

Amends sec. 239 of 1931 PA 328 (MCL 750.239).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

For Senate amendment, see Senate Journal No. 49 of 1999, page 857.

\_\_\_\_ 24 \_\_\_\_\_

#### **HB** 4543 Rep. Basham

Crimes; weapons; penalties for certain crimes involving firearms; increase.

Amends secs. 233, 234d, 234e, 234f, 235 & 237 of 1931 PA 328 (MCL 750.233 et seq.).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-2).

\_\_\_\_\_ 25 \_\_\_\_\_

## **HB** 4544 Rep. Howell

Crimes; larceny; larceny of firearm; increase penalty and prohibit possession of stolen firearm.

Amends sec. 357b of 1931 PA 328 (MCL 750.357b).

I.E. House, May 20, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### **GENERAL ORDERS**

— 26 ———

## **HB** 4641 Rep. Godchaux

Explosives; other; age requirements for purchase of explosives; increase.

Amends secs. 5 & 15 of 1970 PA 202 (MCL 29.45 & 29.55).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

<del>\_\_\_\_ 27 \_\_\_\_</del>

## **HB** 4642 Rep. Thomas

Explosives; other; teaching of explosives on the internet; prohibit.

Amends sec. 528a of 1931 PA 328 (MCL 750.528a).

I.E. House, May 19, 1999.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

— 28 ——

## HB 4643 Rep. Woronchak

Explosives; other; penalty for possessing an explosive when that violation results in the death of another individual or serious impairment of a body function of another individual; increase.

Amends secs. 209a & 212a of 1931 PA 328 (MCL 750.209a & 750.212a).

I.E. House, May 19, 1999.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### SB 447 Sen. Emmons

Education; attendance; eligibility to start kindergarten; change to age 5 on September 1.

Amends sec. 1147 of 1976 PA 451 (MCL 380.1147).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 30 \_\_\_\_

#### SB 275 Sen. Young

Crimes; assaultive; assault or battery of certain vehicle operators and passengers; prohibit under certain circumstances and provide for penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 81c.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 31 \_\_\_\_

## SB 774 Sen. Young

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering operator or passenger of public transit vehicle; enact.

Amends sec. 16d, ch. XVI of 1927 PA 175 (MCL 777.16d).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_\_ 32 \_\_\_\_\_

## SB 48 Sen. Stille

Property tax; assessments; assessor to use existing use of property in assessment without regard to highest and best use; require.

Amends sec. 27 of 1893 PA 206 (MCL 211.27).

Reported by Committee on Finance.

Senate substitute (S-1).

\_\_\_\_\_ 33 \_\_\_\_\_

#### **SB** 836 Sen. Hammerstrom

Mental health; other; licensed professional counselors; include in list of qualified individuals to provide a second opinion determination for persons denied mental health services.

Amends secs. 100b & 705 of 1974 PA 258 (MCL 330.1100b & 330.1705).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

\_\_\_\_\_ 34 \_\_\_\_\_

#### SB 837 Sen. Johnson

Children; foster care; reference to licensed mental health professional; enact technical amendment to change cite because of amendment to mental health code.

Amends sec. 4c of 1994 PA 203 (MCL 722.954c).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

— 35 ———

## SB 795 Sen. McManus

Labor; youth employment; youth employment standards; eliminate cap on number of weeks youth are allowed to be employed in certain farming operations.

Amends sec. 11 of 1978 PA 90 (MCL 409.111).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 36 \_\_\_\_\_

### SB 512 Sen. Koivisto

Natural resources; hunting; senior hunting and fishing license for persons with disabilities; authorize.

Amends secs. 43502 & 43537 of 1994 PA 451 (MCL 324.43502 & 324.43537).

Reported by Committee on Hunting, Fishing and Forestry.

\_\_\_\_ 37 \_\_\_\_\_

## **HB 4259** Rep. Law

Businesses; charitable organizations; charitable organizations and solicitations act; revise.

Amends title & secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21 & 23 of 1975 PA 169 (MCL 400.272 et seq.); adds secs. 3a, 19, 19a, 19b, 19c, 19d, 22a, 23a, 23b & 23c & repeals secs. 14 & 22 of 1975 PA 169 (MCL 400.284 & 400.292).

I.E. House, April 29, 1999.

House substitute (H-1).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 38 ——

#### **HB** 4927 Rep. Rick Johnson

Civil procedure; costs and fees; civil fines for violation of certain local laws or regulating commercial vehicles; earmark for library purposes.

Amends sec. 8379 of 1961 PA 236 (MCL 600.8379).

For House amendment, see House Journal No. 75, page 2112.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

— 39 ———

## **HB** 4928 Rep. Richardville

Traffic control; violations; fines for violation of a code or local ordinance substantially corresponding to the Michigan vehicle code; require to be applied to support of libraries.

Amends sec. 909 of 1949 PA 300 (MCL 257.909).

House substitute (H-1).

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

## HB 4929 Rep. Gilbert

Traffic control; violations; uniform traffic code; require the designation of certain civil fines to libraries.

Amends 1956 PA 62 (MCL 257.951 - 257.954) by adding sec. 5.

For House amendments, see House Journal No. 75, page 2124.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

#### HB 4930 Rep. Koetje

Transportation; carriers; civil fines for violation of local law regulating for-hire motor vehicles; earmark for public and county libraries.

Amends sec. 18, art. V of 1933 PA 254 (MCL 479.18).

For House amendments, see House Journal No. 75, page 2121.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

## **HB 4931** Rep. Kelly

Transportation; carriers; civil fines imposed by local authority for violations of commercial motor vehicle equipment; earmark for public and county libraries.

Amends secs. 605 & 716 of 1949 PA 300 (MCL 257.605 & 257.716).

For House amendment, see House Journal No. 75, page 2115.

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 43 \_\_\_\_\_

#### **HB** 4932 Rep. Kilpatrick

Transportation; carriers; penalties for certain safety violations; provide for fine only.

Amends secs. 7 & 7c of 1963 PA 181 (MCL 480.17 & 480.17c).

House substitute (H-1).

Reported by Committee on Transportation and Tourism.

Committee recommended I.E.

44

## SB 1063 Sen. McManus

Environmental protection; groundwater contamination; groundwater and freshwater protection; expand evaluation program to include additional fertilizers and eliminate sunset on fees.

Amends secs. 8707 & 8715 of 1994 PA 451 (MCL 324.8707 & 324.8715).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

Committee recommended I.E.

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#### SB 892 Sen. Steil

Taxation; administration; disclosure of certain information by Michigan gaming control board; clarify.

Amends sec. 28 of 1941 PA 122 (MCL 205.28).

Reported by Committee on Gaming and Casino Oversight.

Senate substitute (S-2).

Committee recommended I.E.

#### SB 801 Sen. Schwarz

Property tax; exemptions; real and personal property owned by a charitable organization which is occupied and used by the chief executive officer as a principal residence; exempt.

Amends sec. 70 of 1893 PA 206 (MCL 211.70).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

## RESOLUTIONS

47 —

#### SCR 29 Sen. McManus

A concurrent resolution to memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements.

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-1).

For text of resolution, see Senate Journal No. 81 of 1999, page 1794.

Adoption pending.

#### **COMMITTEE REPORTS**

#### SB 964 Sen. Gougeon

Appropriations; community health; department of community health; provide for fiscal year 2000-2001.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

## SB 965 Sen. North

Appropriations; corrections; department of corrections; provide for fiscal year 2000-2001.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 50 \_\_\_\_\_

#### SB 966 Sen. Stille

Appropriations; education; department of education; provide for fiscal year 2000-2001.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 51 \_\_\_\_\_

## SB 1044 Sen. Stille

Appropriations; school aid; school aid; provide for fiscal year 2000-2001.

Amends secs. 3, 6, 8, 11, 11f, 11g, 19, 20, 20j, 21b, 24, 26a, 31a, 31c, 31d, 32, 36, 36a, 40, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 91c, 94, 99, 101, 102, 104a, 105b, 105c, 107, 147, 151, 152 & 163 of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 22a, 22b, 22c, 51c, 94a, 101b & 108a & repeals secs. 20b, 107, 164c, 166d & 169a of 1979 PA 94 (MCL 388.1620b et seq.).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

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## HB 5341 Rep. DeVuyst

Recreation; fairs; Michigan exposition and fairgrounds act; provide general amendments.

Amends secs. 2, 5, 6, 7, 8, 9 & 11 of 1978 PA 361 (MCL 285.162 et seq.); adds secs. 14a & 15a & repeals secs. 14, 15 & 16 of 1978 PA 361 (MCL 285.174 et seq.) & sec. 4 of 1921 PA 13 (MCL 285.4).

I.E. House, March 2, 2000.

House substitute (H-1).

Reported by Committee on Farming, Agribusiness and Food Systems.

Senate substitute (S-3).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### LAID ON TABLE

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## HB 4532 Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, May 19, 1999.

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Reported without recommendation.

#### SCHEDULED MEETINGS

## **Appropriations -**

#### Subcommittees -

**Career Development Strategic Fund Agency -** Tuesdays, March 28, April 11, and May 2, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Family Independence Agency - Thursday, March 16, 3:00 p.m., Room 100, Farnum Building; Thursday, March 23, 1:00 p.m., Room 100, Farnum Building; Thursday, March 30, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 4, 1:00 p.m., Room 210, Farnum Building; Thursday, April 6, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 11, 1:00 p.m., Room 210, Farnum Building; Thursday, April 13, 3:00 p.m., Room 100, Farnum Building; Tuesday, May 2, 1:00 p.m., Room 210, Farnum Building; Tuesday, May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

#### SCHEDULED MEETINGS

**Economic Development, International Trade and Regulatory Affairs -** Tuesday, March 21, 1:00 p.m., Room 110, Farnum Building (373-7946)

**Families, Mental Health and Human Services -** Thursday, March 16, 2:30 p.m., Room 210, Farnum Building (373-3543)

**Government Operations -** Thursday, March 16, 1:00 p.m., Room 100, Farnum Building (373-1707)

Natural Resources and Environmental Affairs - Thursday, March 23, 6:00 p.m., Northwestern Michigan College, Oleson Center - Rooms 1 and 2, 1701 East Front Street, Traverse City; Thursday, April 6, 6:00 p.m., Lake Superior State University, Cisler Student and Conference Center - Ontario-Michigan Room, 650 Easterday Avenue, Sault Ste. Marie; Monday, April 10, 6:00 p.m., Monroe City Hall, Council Chamber, 120 East First Street, Monroe (373-0797)

#### BILLS IN CONFERENCE

	Brief Title	Conferees		Report Agreed to	
Bill No.		Senate	House	Senate	House
SB 404	Health facilities; emergency medical	Shugars	Law		
	services; general amendments	Schwarz	DeWeese		
		Murphy	Schauer		
SB 813	Courts; court of appeals; court of appeals	Schuette	Richner		
	redistricting; provide for certain standards	Sikkema	Koetje		
		V. Smith	Baird		
HB 4305	Appropriations; department of environmental	Bennett	Byl		03/15/00
	quality; provide for fiscal year 1999-2000	Gast	Mead		
		A. Smith	Cherry		